UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE LIBOR-BASED FINANCIAL INSTRUMENTS ANTITRUST LITIGATION	MDL No. 2262
THIS DOCUMENT RELATES TO: Case Nos.: 1:11-cv-06409-NRB 1:11-cv-06411-NRB 1:11-cv-06412-NRB	Master File No. 1:11-md-2262-NRB ECF Case
SCHWAB SHORT-TERM BOND MARKET FUND, *et al.*, Plaintiffs, v. BANK OF AMERICA CORPORATION, *et al.*, Defendants.	**NOTICE OF APPEAL**
CHARLES SCHWAB BANK, N.A., *et al.*, Plaintiffs, v. BANK OF AMERICA CORPORATION, *et al.*, Defendants.	
SCHWAB MONEY MARKET FUND, *et al.*, Plaintiffs, v. BANK OF AMERICA CORPORATION, *et al.*, Defendants.	

Notice is hereby given that, in accordance with Rules 3 and 4 of the Federal Rules of Appellate Procedure, Plaintiffs Schwab Money Market Fund; Schwab Value Advantage Money Fund; Schwab Retirement Advantage Money Fund; Schwab Investor Money Fund; Schwab Cash Reserves; Schwab Advisor Cash Reserves; Schwab YieldPlus Fund; Schwab YieldPlus Fund Liquidation Trust; Charles Schwab Bank, N.A.; Charles Schwab & Co., Inc.; The Charles Schwab Corporation; Schwab Short-Term Bond Market Fund; Schwab Total Bond Market Fund; and Schwab U.S. Dollar Liquid Assets Fund (collectively, the "Schwab Plaintiffs") appeal to the United States Court of Appeals for the Second Circuit from (1) the judgment deemed entered on August 26, 2013 (the "Judgment") in the above-captioned actions (which were transferred, for pretrial purposes, from the United States District Court for the Northern District of California to this Court in connection with these multidistrict proceedings)—following this Court's Memorandum and Order entered on March 29, 2013 (the "March 29, 2013 Order") that dismissed all claims for relief asserted by the Schwab Plaintiffs—*except* to the extent this Court (in the March 29, 2013 Order) declined to exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over, and thus dismissed without prejudice, the Schwab Plaintiffs' state common-law claims for interference with economic advantage, breach of the implied covenant of good faith, and unjust enrichment;[1] and (2) all orders and rulings subsumed within the Judgment,

[1] Following its entry of the March 29, 2013 Order, this Court did not direct the clerk to enter judgment in the Schwab Plaintiffs' cases. It is the Schwab Plaintiffs' understanding that judgment was therefore deemed entered on August 26, 2013 in accordance with Federal Rule of Civil Procedure 58(c)(2)(B) and Federal Rule of Appellate Procedure 4(a)(7)(A)(ii). *See, e.g.*, *Mora v. United States*, 323 F. App'x 18, 19-20 (2d Cir. 2009) (summary order) ("If a separate judgment is not entered, it is deemed to have been entered 150 days after entry of the dispositive order, and the time to appeal would then start to run. The district court's November 2005 order, which . . . dismissed [plaintiff's] complaint, indicated an intent to dispose of the case in a final manner. Thus, judgment was deemed to have been entered on April 10, 2006 (150 days after the November 2005 order was entered).") (citing Fed. R. Civ. P. 58(c)(2)(B), Fed. R. App. P. 4(a)(7)(A)(ii), and *Bankers Trust Co. v. Mallis*, 435 U.S. 381, 387 (1978)).

except the Court's declination of supplemental jurisdiction over the Schwab Plaintiffs' state common-law claims (as stated above).

Dated: September 24, 2013

Respectfully submitted,

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

By: */s/ Steven E. Fineman*
Steven E. Fineman

Steven E. Fineman
Michael J. Miarmi
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
New York, NY 10013-1413
Telephone: (212) 355-9500
Facsimile: (212) 355-9592
sfineman@lchb.com
mmiarmi@lchb.com

Richard M. Heimann
Eric B. Fastiff
Brendan P. Glackin
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
Facsimile: (415) 956-1008
rheimann@lchb.com
efastiff@lchb.com
bglackin@lchb.com

Lowell Haky
Vice President and Associate General Counsel
THE CHARLES SCHWAB CORPORATION
211 Main Street
San Francisco, CA 94105
Telephone: (415) 667-0622
Facsimile: (415) 667-1638
Lowell.Haky@schwab.com

Attorneys for Plaintiffs Schwab Money Market Fund; Schwab Value Advantage Money Fund; Schwab Retirement Advantage Money Fund; Schwab Investor Money Fund; Schwab Cash Reserves; Schwab Advisor Cash Reserves; Schwab YieldPlus Fund; Schwab YieldPlus Fund Liquidation Trust; Charles Schwab Bank, N.A.; Charles Schwab & Co., Inc.; The Charles Schwab Corporation; Schwab Short-Term Bond Market Fund; Schwab Total Bond Market Fund; and Schwab U.S. Dollar Liquid Assets Fund

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2013, a true and correct copy of the foregoing Notice of Appeal was filed electronically through the Court's ECF system. In accordance with Local Civil Rule 5.2 of the United States District Courts for the Southern and Eastern Districts of New York as well as Local Rule 3.1 of the United States Court of Appeals for the Second Circuit, the Notice of Appeal has thereby been served electronically on counsel for all parties in these actions.

Dated: September 24, 2013

/s/ Michael J. Miarmi

Michael J. Miarmi
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
New York, NY 10013-1413
Telephone: (212) 355-9500
Facsimile: (212) 355-9592
mmiarmi@lchb.com